

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re	:	Chapter 11
KAISER GYPSUM COMPANY, INC., <i>et al.</i> , ¹	:	Case No. 16-31602 (JCW)
Debtors.	:	(Jointly Administered)

**NOTICE OF PROPOSED AGENDA OF
MATTERS SCHEDULED FOR HEARING ON
THURSDAY, DECEMBER 13, 2018, AT 9:30 A.M.**

CONTINUED MATTERS

1. Truck Insurance Exchange’s Motion for an Order (I) Approving the Disclosure Statement, (II) Scheduling a Confirmation Hearing, and (III) Establishing Notice and Objection Procedures for Confirmation of Truck Insurance Exchange’s Chapter 11 Plan [Docket No. 892].

a. Related Pleadings:

- i. *First Amended Chapter 11 Plan of Reorganization for Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., Proposed by Truck Insurance Exchange [Docket No. 1203]*
- ii. *First Amended Disclosure Statement for First Amended Chapter 11 Plan of Reorganization for Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., Proposed by Truck Insurance Exchange [Docket No. 1204]*
- iii. *Truck Insurance Exchange’s Supplemental Motion for an Order (I) Approving the Disclosure Statement, (II) Establishing Voting, Solicitation, and Tabulation Procedures, (III) Scheduling a Confirmation Hearing, and (IV) Establishing Notice and Objection Procedures for Confirmation of Truck Insurance Exchange’s Chapter 11 Plan for Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. [Docket No. 1205]*

¹ The Debtors are the following entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): Kaiser Gypsum Company, Inc. (0188) and Hanson Permanente Cement, Inc. (7313). The Debtors' address is 300 E. John Carpenter Freeway, Irving, Texas 75062.

- iv. *Notice of Filing of Amended Plan and Amended Disclosure Statement and Notice of Hearing* [Docket No. 1206]
- v. *Objection to Motion of Truck Insurance Exchange for an Order Approving the Proposed Disclosure Statement* [Docket No. 1238]
- vi. *Objection of the Oregon Department of Environmental Quality to Truck's First Amended Disclosure Statement* [Docket No. 1240]
- vii. *First State Companies' Objection to the Disclosure Statement Motions* [Docket No. 1241]
- viii. *Scheduling Order Regarding Motions to Approve Solicitation Procedures and Disclosure Statements with Respect to Truck Plan and Joint Plan* [Docket No. 1265]
- ix. *Second Amended Chapter 11 Plan of Reorganization for Kaiser Gypsum Company, Inc., and Hanson Permanente Cement, Inc., Proposed by Truck Insurance Exchange* [Docket No. 1268]
- x. *Second Amended Disclosure Statement for Second Amended Chapter 11 Plan of Reorganization for Kaiser Gypsum Company, Inc., and Hanson Permanente Cement, Inc., Proposed by Truck Insurance Exchange* [Docket No. 1269]
- xi. *Notice of Filing Revised Proposed Order Approving Disclosure Statement Motion and Related Exhibits* [Docket No. 1270]
- xii. *Notice of Filing Second Revised Plan Supplement Documents* [Docket No. 1272]
- xiii. *Withdrawal of Objection to Motion of Truck Insurance Exchange for an Order Approving the Proposed Disclosure Statement* [Docket No. 1291]
- xiv. *Joinder of the Insurance Company of the State of Pennsylvania, Granite State Insurance Company, and Lexington Insurance Company in First State Companies' Objection to the Disclosure Statement Motions* [Docket No. 1292]
- xv. *Supplemental Objection of the Oregon Department of Environmental Quality to Second Amended Disclosure Statement for Second Amended Chapter 11 Plan of Reorganization for Kaiser Gypsum Company, Inc., and Hanson Permanente Cement, Inc., Proposed by Truck Insurance Exchange* [Docket No. 1295]
- xvi. *The First State Companies' (A) Objection to the Debtors' Disclosure Statement Motion and (B) Reservation of Rights with Respect to the Truck Plan* [Docket No. 1298]

- xvii. *Objection of the Future Claimants' Representative to the Proposed Disclosure Statement for Chapter 11 Plan of Reorganization Proposed by Truck Insurance Exchange* [Docket No. 1300]
- xviii. *Debtor's Objection to Truck Insurance Exchange's Supplemental Motion for an Order (I) Approving the Disclosure Statement, (II) Establishing Voting, Solicitation, and Tabulation Procedures, (III) Scheduling a Confirmation Hearing and (IV) Establishing Notice and Objection Procedures for Confirmation of Truck Insurance Exchange's Chapter 11 Plan for Kaiser Gypsum Company, Inc., and Hanson Permanente Cement, Inc.* [Docket No. 1301]
- xix. *Objection of the Official Committee of Asbestos Personal Injury Claimants to Truck Insurance Exchange's Second Amended Disclosure Statement* [Docket No. 1303]
- xx. *Consent Order Extending Deadline for Unsecured Creditors Committee to File Objection to Disclosure Statement* [Docket No. 1307]
- xxi. *Joinder by Allstate Insurance Company to First State Companies' (A) Objection to the Debtors' Disclosure Statement Motion and (B) Reservation of Rights with Respect to the Truck Plan* [Docket No. 1309]
- xxii. *Partial Joinder of the Committee of Unsecured Creditors in the Debtors' Objection to Truck Insurance Exchange's Supplemental Motion for an Order (I) Approving the Disclosure Statement, (II) Establishing Voting, Solicitation, and Tabulation Procedures, (III) Scheduling a Confirmation Hearing and (IV) Establishing Notice and Objection Procedures for Confirmation of Truck Insurance Exchange's Chapter 11 Plan for Kaiser Gypsum Company, Inc., and Hanson Permanente Cement, Inc.* [Docket No. 1310]
- xxiii. *Third Amended Chapter 11 Plan of Reorganization for Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., Proposed by Truck Insurance Exchange* [Docket No. 1342]
- xxiv. *Third Amended Disclosure Statement for Third Amended Chapter 11 Plan of Reorganization for Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., Proposed by Truck Insurance Exchange* [Docket No. 1343]
- xxv. *Notice of Filing of Redlines for (A) Third Amended Chapter 11 Plan of Reorganization for Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc., Proposed by Truck Insurance Exchange and (B) Disclosure Statement for Third Amended Chapter 11 Plan* [Docket No. 1344]

- xxvi. *Notice of Filing Revised Proposed Order Approving Disclosure Statement Motion and Related Exhibits* [Docket No. 1345]
- xxvii. *Notice of Filing Third Revised Plan Supplement Documents* [Docket No. 1347]
- xxviii. *Scheduling Order Regarding Motions to Approve Solicitation Procedures and Disclosure Statements With Respect to Truck Plan and Joint Plan* [Docket No. 1351]
- xxix. *The First State Companies' (A) Objection to the Debtors' Disclosure Statement Motion and (B) Reservation of Rights with Respect to the Truck Plan* [Docket No. 1366]
- xxx. *Amended Objection of the Future Claimants' Representative to the Proposed Disclosure Statement for Chapter 11 Plan of Reorganization Proposed by Truck Insurance Exchange* [Docket No. 1369]
- xxxi. *Debtors' Supplemental Objection to Truck Insurance Exchange's Supplemental Motion for Approval of its Disclosure Statement and Related Relief* [Docket No. 1370]
- xxxii. *Objection of the Official Committee of Asbestos Personal Injury Claimants to Truck Insurance Exchange's Third Amended Disclosure Statement* [Docket No. 1371]
- xxxiii. *Joinder by Allstate Insurance Company to First State Companies' (A) Objection to the Debtors' Disclosure Statement Motion and (B) Reservation of Rights with Respect to the Truck Plan* [Docket No. 1382]

b. Objection Deadline: Wednesday, December 5, 2018

c. Status: This matter is continued to January 17, 2019 at 9:30 a.m.

2. Motion of Debtors for an Order (I) Approving Their Disclosure Statement, (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Proposed Joint Plan of Reorganization and (III) Scheduling a Hearing on Confirmation of Proposed Joint Plan of Reorganization and Approving Related Notice Procedures [Docket No. 1153]

a. Related Pleadings:

- i. *Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc.* [Docket No. 1085]
- ii. *Disclosure Statement for Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc.* [Docket No. 1152]

- iii. *Objection to Motion of Debtors for an Order Approving the Proposed Disclosure Statement* [Docket No. 1237]
- iv. *Objection of the Oregon Department of Environmental Quality to Debtors' Disclosure Statement* [Docket No. 1239]
- v. *First State Companies' Objection to the Disclosure Statement Motions* [Docket No. 1241]
- vi. *Notice of Filing of Exhibits to Disclosure Statement for Joint Plan of Reorganization* [Docket No. 1256]
- vii. *Supplement to Debtors' Solicitation Procedures Motion* [Docket No. 1267]
- viii. *First Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc., and Hanson Permanente Cement, Inc.* [Docket No. 1271]
- ix. *Disclosure Statement for First Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc., and Hanson Permanente Cement, Inc.* [Docket No. 1273]
- x. *Notice of Filing of Redlines for (A) First Amended Joint Chapter 11 Plan of Reorganization of Kaiser Gypsum Company, Inc., and Hanson Permanente Cement, Inc., and (B) Disclosure Statement for First Amended Joint Plan* [Docket No. 1275]
- xi. *Supplement to the Objection to Motion of Debtors for an Order Approving the Proposed Disclosure Statement* [Docket No. 1290]
- xii. *Joinder of the Insurance Company of the State of Pennsylvania, Granite State Insurance Company, and Lexington Insurance Company in First State Companies' Objection to the Disclosure Statement Motions* [Docket No. 1292]
- xiii. *Objection of the Official Committee of Unsecured Creditors to Motion of Debtors for an Order (I) Approving Their Disclosure Statement, (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Proposed Joint Plan of Reorganization and (III) Scheduling a Hearing on Confirmation of Proposed Joint Plan of Reorganization and Approving Related Notice Procedures* [Docket No. 1293]
- xiv. *Supplemental Objection of the Oregon Department of Environmental Quality to Debtor's First Amended Disclosure Statement* [Docket No. 1294]

- xv. *The First State Companies' (A) Objection to the Debtors' Disclosure Statement Motion and (B) Reservation of Rights with Respect to the Truck Plan* [Docket No. 1298]
- xvi. *United States' Objection to Debtors' Motion for an Order (I) Approving Their Disclosure Statement, (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Proposed Joint Plan of Reorganization and (III) Scheduling a Hearing on Confirmation of Proposed Joint Plan of Reorganization and Approving Related Notice Procedures* [Docket No. 1299]
- xvii. *Objection of Truck Insurance Exchange to Motion for Approval of Debtors' Disclosure Statement* [Docket No. 1302]
- xviii. *Consent Order Extending Deadline for Unsecured Creditors Committee to File Objection to Disclosure Statement* [Docket No. 1307]
- xix. *Joinder by Allstate Insurance Company to First State Companies' (A) Objection to the Debtors' Disclosure Statement Motion and (B) Reservation of Rights with Respect to the Truck Plan* [Docket No. 1309]
- xx. *Limited Joinder of TIG Insurance Company (Formerly Known as Transamerica Insurance Company and as Successor by Merger to International Insurance Company), and Evanston Insurance Company, as Successor by Merger to Associated International Insurance Company to United States' Objection to Debtors' Motion for an Order (I) Approving Their Disclosure Statement, (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Proposed Joint Plan of Reorganization and (III) Scheduling a Hearing on Confirmation of Proposed Joint Plan of Reorganization and Approving Related Notice Procedures* [Docket No. 1311]
- xxi. *Notice of Filing of Amended Trust Agreement and Trust Distribution Procedures and Redlines for Same* [Docket No. 1346]
- xxii. *Second Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc.* [Docket No. 1348]
- xxiii. *Disclosure Statement for Second Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc.* [Docket No. 1349]
- xxiv. *Notice of Filing of Redlines for (A) Second Amended Joint Plan of Reorganization of Kaiser Gypsum Company, Inc. and Hanson Permanente Cement, Inc. and (B) Disclosure Statement for Second Amended Joint Plan* [Docket No. 1350]

- xxv. Scheduling Order Regarding Motions to Approve Solicitation Procedures and Disclosure Statements With Respect to Truck Plan and Joint Plan [Docket No. 1351]
- xxvi. *United States' Supplemental Objection to Debtors' Motion for an Order (I) Approving Their Disclosure Statement, (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Proposed Joint Plan of Reorganization and (III) Scheduling a Hearing on Confirmation of Proposed Joint Plan of Reorganization and Approving Related Notice Procedures* [Docket No. 1364]
- xxvii. *The First State Companies' (A) Objection to the Debtors' Disclosure Statement Motion and (B) Reservation of Rights with Respect to the Truck Plan* [Docket No. 1366]
- xxviii. *Supplemental Objection of Truck Insurance Exchange to Motion for Approval of Debtors' Disclosure Statement* [Docket No. 1367]
- xxix. *Supplemental Objection of the Official Committee of Unsecured Creditors to the Motion of Debtors for an Order (I) Approving Their Disclosure Statement, (II) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject Proposed Joint Plan of Reorganization and (III) Scheduling a Hearing on Confirmation of Proposed Joint Plan of Reorganization and Approving Related Notice Procedures* [Docket No. 1373]
- xxx. *Joinder by Allstate Insurance Company to First State Companies' (A) Objection to the Debtors' Disclosure Statement Motion and (B) Reservation of Rights with Respect to the Truck Plan* [Docket No. 1382]

b. Objection Deadline: Wednesday, December 5, 2018

c. Status: This matter is continued to January 17, 2019 at 9:30 a.m.

3. **Debtors' Objection to Claim of the Oregon Department of Environmental Quality**
[Docket No. 1242]

a. Related Pleadings:

- i. *Joinder by Certain Insurers in Debtor's Objection to Claim of the Oregon Department of Environmental Quality* [Docket No. 1250]
- ii. *Preliminary Response of Armstrong World Industries, Inc., to Debtors' Objection to Claim of the Oregon Department of Environmental Quality* [Docket No. 1263]
- iii. *AIU Insurance Company, Granite State Insurance Company, The Insurance Company of the State of Pennsylvania, Lexington Insurance*

Company, and National Union Fire Insurance Company of Pittsburgh, PA (For Itself and For Landmark Insurance Company) Joinder in Debtors' Objection to Claim of the Oregon Department of Environmental Quality [Docket No. 1264]

iv. *Debtors' Reply to Armstrong World Industries, Inc.'s, Response to Debtors' Objection to Claim of the Oregon Department of Environmental Quality [Docket No. 1289]*

b. Objection Deadline: Tuesday, November 6, 2018, at 4:00 p.m., except as extended by agreement.

c. Status: This matter is continued to February 14, 2019, at 9:30 a.m.

4. Debtors' Second Omnibus Objection to Claims of the Port of Seattle (Claim Nos. 23 and 24) [Docket No. 1278]

a. Related Pleadings:

i. *Declaration of Charles E. McChesney II in Support of Debtors' First, Second, Third and Fourth Objections to Claims [Docket No. 1281]*

ii. *AIU Insurance Company, Granite State Insurance Company, The Insurance Company of the State of Pennsylvania, Lexington Insurance Company, and National Union Fire Insurance Company of Pittsburgh, PA (for itself and for Landmark Insurance Company) Joinder in Debtors' First, Second, Third, and Fourth Omnibus Objections to Lower Duwamish Waterway Claims [Docket No. 1317]*

iii. *Joinder by Certain Insurers in Debtors' Second Omnibus Objection to Lower Duwamish Waterway Claims (Port of Seattle (Claim Nos. 23 and 24)) [Docket No. 1319]*

iv. *Amended Notice of Opportunity for Hearing [Docket No. 1322]*

b. Objection Deadline: Monday, December 17, 2018

c. Status: This matter is continued to January 17, 2019, at 9:30 a.m.

5. Debtors' Third Omnibus Objection to Claims of the City of Seattle (Claim Nos. 28 and 33) [Docket No. 1279]

a. Related Pleadings:

i. *Declaration of Charles E. McChesney II in Support of Debtors' First, Second, Third and Fourth Objections to Claims [Docket No. 1281]*

- ii. *AIU Insurance Company, Granite State Insurance Company, The Insurance Company of the State of Pennsylvania, Lexington Insurance Company, and National Union Fire Insurance Company of Pittsburgh, PA (for itself and for Landmark Insurance Company) Joinder in Debtors' First, Second, Third, and Fourth Omnibus Objections to Lower Duwamish Waterway Claims [Docket No. 1317]*
- iii. *Joinder by Certain Insurers Debtors' Third Omnibus Objection to Lower Duwamish Waterway Claims (City of Seattle (Claim Nos. 28 and 33)) [Docket No. 1320]*
- iv. *Amended Notice of Opportunity for Hearing [Docket No. 1322]*

b. Objection Deadline: Monday, December 17, 2018

c. Status: This matter is continued to January 17, 2019, at 9:30 a.m.

6. Debtors' Fourth Omnibus Objection to Claims of King County, Washington (Claim Nos. 71 and 88) [Docket No. 1280]

a. Related Pleadings:

- i. *Declaration of Charles E. McChesney II in Support of Debtors' First, Second, Third and Fourth Objections to Claims [Docket No. 1281]*
- ii. *AIU Insurance Company, Granite State Insurance Company, The Insurance Company of the State of Pennsylvania, Lexington Insurance Company, and National Union Fire Insurance Company of Pittsburgh, PA (for itself and for Landmark Insurance Company) Joinder in Debtors' First, Second, Third, and Fourth Omnibus Objections to Lower Duwamish Waterway Claims [Docket No. 1317]*
- iii. *Joinder by Certain Insurers in Debtors' Fourth Omnibus Objection to Lower Duwamish Waterway Claims (King County, Washington (Claim Nos. 71 and 88)) [Docket No. 1321]*
- iv. *Amended Notice of Opportunity for Hearing [Docket No. 1322]*

b. Objection Deadline: Monday, December 17, 2018

c. Status: This matter is continued to January 17, 2019, at 9:30 a.m.

STATUS CONFERENCE

7. Debtors' First Omnibus Objection to Claims of The Boeing Company (Claim Nos. 68, 281, 447 and 645) [Docket No. 1277]

a. Related Pleadings:

- i. *Declaration of Charles E. McChesney II in Support of Debtors' First, Second, Third and Fourth Objections to Claims [Docket No. 1281]*
- ii. *AIU Insurance Company, Granite State Insurance Company, The Insurance Company of the State of Pennsylvania, Lexington Insurance Company, and National Union Fire Insurance Company of Pittsburgh, PA (for itself and for Landmark Insurance Company) Joinder in Debtors' First, Second, Third, and Fourth Omnibus Objections to Lower Duwamish Waterway Claims [Docket No. 1317]*
- iii. *Joinder by Certain Insurances in Debtors' First Omnibus Objection to Lower Duwamish Waterway Claims (The Boeing Company (Claim Nos. 68, 281, 447 and 645)) [Docket No. 1318]*
- iv. *Response of The Boeing Company to Debtors' First Omnibus Objection to Lower Duwamish Waterway Claims (The Boeing Company) (Claim Nos. 68, 281, 447, and 645); Motion to Strike; Request for Temporary Allowance of Claims for Voting Purposes [Docket No. 1355]*
- v. *Declaration of Brett Prodzinski in Support of Response of The Boeing Company to Debtors' First Omnibus Objection to Lower Duwamish Waterways Claims [Docket No. 1356]*
- vi. *Declaration of Jay Vandeven in Support of Response of The Boeing Company to Debtor's First Omnibus Objection to Lower Duwamish Waterways Claims [Docket No. 1357]*
- vii. *Debtors' Limited Reply to Response of The Boeing Company to Debtors' First Omnibus Objection [Docket No. 1363]*

b. Objection Deadline: Monday, December 17, 2018

c. Status: This matter is going forward as a status conference only.

UNOPPOSED MATTERS GOING FORWARD

8. Debtors' Eighth Motion for Entry of an Order Extending Period Within Which the Debtors May Remove Actions Pursuant to 28 U.S.C. § 1452 and Rule 9027 of the Federal Rules of Bankruptcy Procedure [Docket No. 1334]

- a. Related Pleadings: None.
- b. Objection Deadline: Wednesday, December 5, 2018
- c. Status: This matter is going forward.

CONTESTED MATTERS GOING FORWARD

9. First State Companies' Renewed Motion to Dismiss [Docket No. 919]

- b. Related Pleadings:
 - i. *Memorandum of Law in Support of the First State Companies' Renewed Motion to Dismiss* [Docket No. 920]
 - ii. *Joinder by Allstate Insurance Company to First State Companies' Renewed Motion to Dismiss and Memorandum in Support Thereof* [Docket No. 1053]
 - iii. *Truck Insurance Exchange's Opposition to First State Companies' Renewed Motion to Dismiss* [Docket No. 1083]
 - iv. *Debtors' Objection to First State Companies' Renewed Motion to Dismiss* [Docket No. 1360]
 - v. *Declaration of Charles E. McChesney II in Support of Debtors' Objection to First State Companies' Renewed Motion to Dismiss* [Docket No. 1361]
 - vi. *Response of Official Committee of Unsecured Creditors to First State Companies' Renewed Motion to Dismiss* [Docket No. 1372]
 - vii. *Reply Memorandum of Law in Support of The First State Companies' Renewed Motion to Dismiss* [Docket No. 1378]
- c. Objection Deadline: November 30, 2018 except as extended by agreement
- d. Status: This matter is going forward.

10. Motion for Order (I) Fixing a Deadline for Filing Proofs of Claim by Insiders and Corporate Affiliates of the Debtors, (II) Fixing a Deadline for Filing Applications for the Allowance of Administrative Expenses by Insiders and Corporate Affiliates of the Debtors, (III) Approving Notice Thereof, and (IV) Granting Related Relief [Docket No. 1324]

- a. Related Pleadings:
 - i. *Joinder by Truck Insurance Exchange to UCC Insider Claim Motion* [Docket No. 1368]
 - ii. *Debtors' Limited Objection to Motion to Establish Certain Affiliate Bar Dates and Granting Related Relief* [Docket No. 1383]
- b. Objection Deadline: None stated
- c. Status: This matter is going forward.

Requests for telephonic appearances should be directed to hearings@newd.net.

This, the 11th day of December 2018.

RAYBURN COOPER & DURHAM, P.A.

By: /s/ John R. Miller, Jr.
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